IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

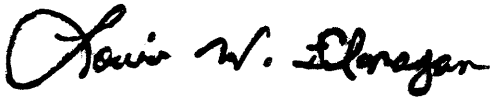
No. 5:11-CR-290-FL-1
No. 5:13-CV-289-FL

CHYVONE MONIQUE WOMACK,	)	
	)	
Petitioner,	)	
	)	
v.	)	
	)	ORDER
UNITED STATES OF AMERICA,	)	
	)	
Respondent.	)	

This matter is before the court on the Memorandum and Recommendation ("M&R") of United States Magistrate Judge William A. Webb, regarding the petitioner's motion to vacate, set aside, or correct his sentence, under 28 U.S.C. § 2255 (DE 49), and the government's motion to dismiss (DE 52). No objections to the M&R have been filed, and the time within which to make any objection has expired. This matter is ripe for ruling.

Upon careful review of the M&R and of the record generally, having found no clear error, the court hereby ADOPTS the recommendation of the magistrate judge as its own, and, for the reasons stated therein, the government's motion is GRANTED, petitioner's motion is DENIED, and this matter is DISMISSED. Under 28 U.S.C. § 2253(c), the court has reviewed the arguments raised, and, in light of the applicable standard, a certificate of appealability is DENIED. The clerk of court is directed to close the case.

SO ORDERED this the 1st day of May, 2014.



LOUISE W. FLANAGAN
United States District Judge